

NCJIS ADVISORY COMMITTEE MEETING MINUTES
Nevada Gaming Control Board
1919 College Pkwy
Room 100
Carson City, Nevada
July 31, 2007
1:00 p.m.

MEMBERS PRESENT

Captain PK O'Neill, Nevada Department of Public Safety, Chief Records and Technology Division
Assemblyman Bernie Anderson
Todd Westergard, Gaming Control Board
Captain Keith Logan, Nevada Sheriff's and Chief's Association
James Earl, Attorney General's Office
John Helzer, Washoe County Deputy District Attorney

MEMBERS WITH PROXY

Steve Tuttle, Administrative Office of the Courts, Supreme Court on behalf of Ron Titus per letter naming proxy

MEMBERS EXCUSED

Senator Maurice Washington
Glen Whorton, Director Department of Corrections

A. Call open meeting to order and roll call (action)

Captain PK O'Neill called meeting to order at 1:07pm and roll call was taken by Mindy McKay. All attendees were asked to sign in and the sign in sheet is attached to the original minutes as exhibit A.

B. February 16, 2007 meeting minutes comment, revision and acceptance (action)

Mr. Earl motioned to accept the February 16, 2007 meeting minutes. Mr. Westergard seconded the motion. All members were in favor. The motion was carried unanimously.

C. Introduce new members (discussion)

Captain O'Neill introduced Mr. Helzer, explained to him what to expect and welcomed his participation. No action was taken.

D. Technology Bureau Manager Introduction (discussion)

Captain O'Neill introduced Catherine Krause as the Technology Bureau Manager. No action was taken.

E. NDEx Presentation – Steve Noyes, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit B. Steve Noyes provided a description of the NDEx history and future goals. Mr. Helzer asked what information is going to be shared. Steve Noyes responded that it will be up to the agencies to decide what they would be comfortable sharing. Mr. Helzer asked if NDEx would be replacing the court system. Steve Tuttle replied that it would not but that the court system will act as a portal or pass through routing mechanism. Captain Logan asked if there will be an expense to the agency and if it will cause duplication of data entry. Steve Noyes answered that it will not be duplicate data entry and there will be no cost. Assemblyman Anderson wanted to know what type of protection will there be for access. Steve Noyes explained that the records can be granulated at the Federal level and the state level depends on how we decide to build it. Captain O'Neill explained that Nevada has been involved with the creation of the initial phase. It is an investigative tool for law enforcement agencies rather than an informational statistical tool for the public. Captain O'Neill informed the attendees that Mr. Noyes has been nominated for an award in technology excellence. There will be an NDEx presentation on September 5, 2007 which all Advisory Committee members will be invited to. No action was taken.

F. Encryption Status – Captain Philip K. O'Neill, Chief Records and Technology (discussion)

Captain O'Neill advised that to prevent outside theft it is required that all information in CJIS is encrypted. Most of the encryption process was completed in March of 2007. There are two remaining programs being addressed which are not eligible to be sanctioned. No action was taken.

G. FBI Audit Status – Diane McCord, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit C. Diane McCord stated that the CJIS Systems Agency was recently audited by the Federal Bureau of Investigation (FBI). The Records and Technology Division appointed a new Information Security Officer who will ensure compliance with the security portions of the audit. Assemblyman Anderson asked how long it will be until the concealed carry weapon renewal is issued. Captain O'Neill stated it depends on fingerprint submission/response time. The FBI has received and accepted the Records and Technology Division's response to the audit. The Sex Offender Registry was not audited due to the Adam Walsh Act being enacted. It's expected to be audited in the year 2010. The Criminal History Repository has not received the FBI audit findings report. Mr. Helzer asked why warrants must be entered in 72 hours. Diane responded that it is the responsibility of the entering agency to enter the warrant within 72 hours from receipt date/time which is why it was suggested to the entering agencies to use a date/time stamp. The time frame is also to ensure officer safety. Mr. Helzer stated that if officer safety is legitimate there needs to be a better process in place. The time frame is a recommendation therefore it is not eligible to be sanctioned. Captain O'Neill and Chief Dotson are on the CJIS Advisory Policy Board and mentioned this has been a topic of discussion at previous meetings. The CJIS Working Group is meeting the week of August 13, 2007 where this issue will be discussed further. No action was taken.

H. NCJIS Presentation – Kalene Dickerson with Reno Police Department, Teresa Wiley with Sparks Police Department (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit D. Ms. Dickerson and Ms. Wiley provided the history of NCJIS. Some statistics were provided as to the amount of users, terminals and daily transactions statewide. Future projects were discussed. Captain Logan asked if there is a system in place allowing information on a failure to register charge from another state to be available when the sex offender attempts to register in Nevada. Ms. Wiley said the information would be accessible as long as the warrant is entered into the National Crime Information Center's Warrant File and is validated according to schedule. Assemblyman Anderson mentioned a concern the Legislature had regarding detention agencies being fiscally liable for the high cost of unnecessary detention of non-compliant offenders who will not be extradited. Assemblyman Anderson asked if the State of Nevada was going to be responsible for the requirement of knowing where the offenders are because of the Adam Walsh Act and if it's going to create a problem at the local level. Ms. Wiley answered that the Adam Walsh Act requires more frequent registration which will be an impact on the local agencies. Assemblyman Anderson inquired if the JLink system will contain Department of Correction's release information. Ms. Wiley responded that the local agencies are attempting to work with the Department of Corrections to build a database to capture release information to start the clock ticking to ensure inmates register promptly after they are released. Captain O'Neill asked for clarification if there has to be local registration and state registration and if they are separate databases. Ms. Wiley stated that all information is in one database. No action was taken.

I. Nevada Offense Code Revision – Steve Tuttle, Supreme Court (discussion)

Steve Tuttle mentioned that a lot of progress has been made over the past five months on the revision of the Nevada offense codes. Efficient communication procedures have been established with the local and state agencies to ensure all entities involved are equally informed. Currently the courts are being converted to the new codes with a mechanism to translate old codes to new codes and visa-versa. There is a working committee meeting August 1-2, 2007 to discuss governance structure on how to keep the codes in sync until all are converted to one table. No action was taken.

J. E-Dispos – Steve Tuttle, Supreme Court (discussion)

Steve Tuttle stated there have been over 44,000 dispositions successfully transmitted to the state. Only the judgment of conviction without sentencing information is being transmitted. His team is working in cooperation with the Department of Public Safety to ensure the proper information is being transmitted to create a complete record. As of yet there has not been a full loop test to verify the information transmitted to the Criminal History Repository is consistent with the court's system and the District Attorney's system. Mr. Tuttle pointed out the fact that individual identities or programs may be non-existent in the near future due to interfaces causing the criminal justice community to integrate. Assemblyman Anderson requested clarification that all agencies will be utilizing the same coding system. Mr. Tuttle replied that the offense codes have been standardized across the criminal justice community. Assemblyman Anderson asked if the existing codes will be used for all offenses across the state to avoid creating new codes. Mr. Tuttle stated the charging process will not be regulated but the standard codes will be used.

Break 3:00pm

Reconvened 3:10pm

K. 2007 Legislative Impact – Julie Butler, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit E. Julie Butler provided a summary of the significant bills affecting the Records and Technology Division. AB226 is specific to crimes against older person's statistics. AB510 is specific to good-time credits for certain offenders which affects the Technology Bureau's Offender Tracking Information System. The Records and Technology Division has completed their responsibilities of AB510. AB579 is the Adam Walsh Act specific to sex offenders tier level assessments and community notification. SB38 establishes the Records and Technology Division under the Nevada Department of Public Safety. SB237 is specific to concealed weapon permits. The Nevada Sheriff's and Chief's Association sent a letter to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in July asking for exemption from the National Instant Criminal Background Check System (NICS). ATF should respond by August 2007. SB389 is specific to the trust account to modify language from the 2005 Legislative Session. SB471 is specific to sex offenders by establishing certain restrictions and other various provisions.

L. Records and Technology Division Statistical Accomplishments for Fiscal Year 2007 and Future Goals for Fiscal Year 2008– Diane McCord, Catherine Krause, Suzie Block and Jeff Gallwey, Records and Technology (discussion)

Julie Butler for the Records Bureau- Handouts of the presentation were provided and are included in the original minutes as exhibit F. The Criminal History Repository consists of the Fingerprint Technician Unit, File Management Unit and the Fingerprint Support Unit. Civil applicant fingerprint response time has lessened significantly from four months in 2005 to three weeks in 2007. The goal is to respond within five days. Criminal backlogs consist of juvenile fingerprint cards because they are manually processed. The backlog stems from staffing and budget issues. The goal in the future is to automate the juvenile processing of fingerprint cards. Assemblyman Anderson asked if this is an issue that can be addressed during the next Legislative Session. Captain O'Neill said the issue will be resolved before that time. Dispositions are also backlogged. In February 2007 temporary employees were hired to assist in the reduction of the disposition backlog. As of June 30th the backlog has been reduced by 40%. October 2007 is the estimated completion date. The future resolution to avoid disposition backlogs is to fully implement the electronic disposition project statewide. The FBI changed their fingerprint processing fees effective October 2007. The fees will be passed on to the customers. In order to avoid the higher fee for manually processing the future goal is to submit the fingerprints electronically and be charged the lower fee. Captain O'Neill recognized the efforts of the employees involved in decreasing the response time and backlogs as well as innovations in technology. Assemblyman Anderson confirmed and agreed with Captain O'Neill's statement. No action was taken.

Diane McCord for the Records Bureau– Handouts of the presentation were provided and are included in the original minutes as exhibit G. Senate Bill 341 was implemented July 2006 allowing the Department of Motor Vehicles (DMV) to access state information to license compliant offenders or deny a license until they are in compliance. From July 1, 2006 to June 30, 2007 there are 2,369 compliant offenders, 585 non-compliant offenders and 1,199,072 DMV searches have been performed. The Sex Offender Registry case investigators completed 95% of all new case files opened within the established 90 day period which exceed the 90% performance indicator. The remaining 5% is due to the lack of response when attempting to obtain the arrest data necessary to complete the assessment. The Sex Offender Registry future consists of the upcoming Adam Walsh Act of 2006 establishing various provisions. The Brady Point-of-Sale Firearms Unit is currently researching web front end programs to allow for electronic submissions from Nevada Federally Firearms Licensed dealers. The Programs Development and Compliance Unit will be offering online training to reduce out of office time and travel expenses for statewide users of the Nevada Criminal Justice Information System. Mr. Westergard asked what the average completion time is on a sex offender assessment. Diane responded with approximately eight hours per case. No action was taken.

L. Records and Technology Division Statistical Accomplishments for Fiscal Year 2007 and Future Goals for Fiscal Year 2008– Diane McCord, Catherine Krause, Suzie Block and Jeff Gallwey, Records and Technology cont. (discussion)

Catherine Krause for the Technology Bureau – Handouts of the presentation were provided and are included in the original minutes as exhibit H. Ms. Krause explained that the FBI mandates a system downtime of 2% or less. Nevada's JLink downtime is at 3% which will be reduced to 1% after the all programs are moved off of the mainframe in the first half of 2008. Captain O'Neill commended the Records and Technology Division staff on their level of performance during a recent outage in Clark County. Patty Peters with the Las Vegas Metropolitan Police Department who had been directly affected was present and concurred with Captain O'Neill's statement. No action was taken.

M. Presentation on Budget years 2008 and 2009 – Lisa Young, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit I. Ms. Young started by thanking the Records and Technology Division personnel for their tireless efforts during the 2007 Legislative Session making it successful. A brief summary was provided of new positions, major technology projects and the upcoming move to integrate the two Division locations into one. John Helzer asked if the Brady Point-of-Sale Firearms positions are needed because of the concealed weapon permit issue. Ms. Young responded that the positions were requested prior to the issue due to increased calls and to reduce case investigation backlog. Future automation of the NICS submission and response process will also assist in reducing case load and backlog. No action was taken.

N. SEARCH Fingerprint and Records Bureau Survey Results – Mindy McKay, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit J. The SEARCH National Consortium for Criminal Justice Information and Statistics recently conducted a nationwide survey specific to criminal and civil background checks performed. Nevada ranked number 4 in the total criminal and civil checks per 100 population. Nevada ranked number 1 in the total civil checks per 100 population. Nevada ranked number 28 in the total criminal checks per 100 population. Research reveals Nevada's ranking is due to the strict fingerprint requirements for the gaming industry as well as applicants working with children. The Records Bureau also conducted a customer service survey resulting in positive responses. The Records and Technology Division will be conducting surveys on an annual basis to begin reporting trends, to be used to better the business practices and justify position/technology/equipment requests. No action was taken.

O. Child Trust Account – Lisa Young, Records and Technology (discussion)

Handouts of the presentation were provided and are included in the original minutes as exhibit K. The Child Trust Account was established to investigate the background of volunteers who work with children. The 2005 Legislature amended the provisions in NRS 179A.140 to allow for free background investigations for all 501(c)(3) organizations in the state for volunteers. Senate Bill 389 clarified once again that only organizations eligible for the account to investigate the background of volunteers who work with children may receive free background investigations. No action was taken.

P. Public comment (time may be limited at the discretion of the chairperson) (discussion)

There were no public comments.

Q. Comments of committee members (discussion)

Captain O'Neill asked for suggestions to modification of the agenda. James Earl suggested that Captain O'Neill keep in mind he is a manager and the information he would desire to discuss and obtain as a manager is most likely what the members would prefer to have. Mr. Earl asked the members to advise him if there is anything they would like to know or request from the Attorney General's Identity Theft Board as he is a member. Assemblyman Anderson requested that the mission and vision be reviewed at the next meeting to ensure the committee is reaching the goals that have been set forth. He also feels it is important how statistical information is gathered because it justifies what the public view is. Assemblyman Anderson feels the committee members need to be more aggressive in representing the NCJIS Advisory Committee and their role during the Legislative Sessions to the Legislators in order to provide them with a better understanding. Captain O'Neill mentioned that the Uniform Crime Reporting Unit's goal is to place most statistics on the public website to be as transparent as possible without violating confidentiality. John Helzer requested a review of the statistics as to why Nevada received the higher ranks and a list of who the fingerprint customers are. Mr. Helzer would also like an explanation as to what the process was that lead to the Records and Technology Division accomplishments. Captain O'Neill notified the members that the Records Bureau is celebrating its 20 year anniversary. There will be an open house at the Records and Technology Division's new location at the beginning of 2008 which will consist of celebrating the 20 years, the merging of the two Bureaus, the Division's employee of the year as well as an overview of the future goals and objectives.

The next meeting will be January 30, 2008 at 1pm with the location to be announced at a later date.

5:00 p.m. Captain Logan motioned to adjourn and Assemblyman Anderson seconded the motion. All members were in favor. The motion was carried unanimously.